



THE CITY OF SAN DIEGO

DATE: May 28, 2009

TO: Hadi Dehghani, Personnel Director

FROM: Eduardo Luna, City Auditor

SUBJECT: **Hotline Investigation of a City Employee**

The Office of the City Auditor conducted an investigation in response to a call made to the City's Fraud Hotline involving a City employee who is under the purview of the Personnel Department. The caller alleged the employee used his/her City email address and position as a City employee to misrepresent himself/herself as a court official to obtain confidential out-of-state family court documents.

Our investigation concluded the allegations are substantiated. We found the employee used his/her title, City of San Diego email address, and City stationery to request and obtain court documents not available to the public. Court officials have confirmed the documents provided are confidential and only available to parties to the matter, their attorneys or a court. The employee is none of these.

Evidence obtained during the investigation includes:

- a copy of a fax on City letterhead stamped "RECEIVED" by the court and sent by the employee as a request for court documents; and
- email correspondence from the employee's City email address to various officials of the court requesting court documents.

The employee admits requesting and receiving these court documents using City email address and fax machine; however, this individual denies representing himself/herself as a court official and using the City letterhead.

We recommend the Personnel Department take appropriate disciplinary action based on the information provided.

We appreciate the assistance we received from Personnel Department staff during our investigation. We have issued a confidential report to your office detailing the evidence collected. Below is the written response the Personnel Department provided. Thank you, and please contact me if you have any questions.

Personnel Department's Response

Based on the findings in your report, the Personnel Department will terminate this employee's employment with the City. There will also be a recommendation to the employee's file against future employment with the City.

A handwritten signature in cursive script that reads "Eduardo Luna". The signature is written in dark ink on a light-colored background.

Eduardo Luna
City Auditor

cc: Honorable Mayor Jerry Sanders
Honorable City Council Members
Honorable Audit Committee Members
Jay M. Goldstone, Chief Operating Officer
Mary Lewis, Chief Financial Officer
Jan Goldsmith, City Attorney
Andrea Tevlin, Independent Budget Analyst
Stanley Keller, Independent Oversight Monitor